

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

CHAPTER 215

HOUSE BILL 2387

AN ACT

AMENDING TITLE 11, CHAPTER 3, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-505; AMENDING TITLE 11, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-645; RELATING TO COUNTY TREASURERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 3, article 4, Arizona Revised Statutes,
3 is amended by adding section 11-505, to read:

4 11-505. Disclosure of confidential information; classification;
5 definition

6 A. A PERSON, INCLUDING A FORMER EMPLOYEE OR AGENT OF THE TREASURER,
7 WHO HAS RECEIVED CONFIDENTIAL INFORMATION WHILE AN EMPLOYEE OR AGENT OF THE
8 TREASURER SHALL NOT DISCLOSE THAT INFORMATION EXCEPT AS PROVIDED IN
9 SUBSECTION B.

10 B. CONFIDENTIAL INFORMATION RELATING TO:

11 1. A TAXPAYER MAY BE DISCLOSED TO THE TAXPAYER, ITS SUCCESSOR IN
12 INTEREST OR A DESIGNEE OF THE TAXPAYER WHO IS AUTHORIZED IN WRITING BY THE
13 TAXPAYER. A PRINCIPAL CORPORATE OFFICER OF A PARENT CORPORATION MAY EXECUTE
14 A WRITTEN AUTHORIZATION FOR A CONTROLLED SUBSIDIARY.

15 2. A TAXPAYER MAY BE DISCLOSED TO THE TAXPAYER'S TITLE COMPANY DULY
16 LICENSED WITH THE DEPARTMENT OF FINANCIAL INSTITUTIONS.

17 3. A TAXPAYER MAY BE DISCLOSED PURSUANT TO A LAWFUL COURT ORDER OR A
18 SUBPOENA THAT IS ISSUED BY A LAW ENFORCEMENT ENTITY PURSUANT TO A CRIMINAL
19 INVESTIGATION.

20 4. A TAXPAYER MAY BE DISCLOSED TO THE AUDITOR GENERAL PURSUANT TO AN
21 OFFICIAL AUDIT AND A WRITTEN REQUEST SPECIFYING THE INFORMATION TO BE
22 DISCLOSED.

23 C. A KNOWING DISCLOSURE OF CONFIDENTIAL INFORMATION IN VIOLATION OF
24 THIS SECTION IS A CLASS 6 FELONY.

25 D. FOR THE PURPOSES OF THIS SECTION, "CONFIDENTIAL INFORMATION"
26 INCLUDES THE FOLLOWING INFORMATION WHETHER IT CONCERNS INDIVIDUAL TAXPAYERS
27 OR IS AGGREGATE INFORMATION FOR SPECIFICALLY IDENTIFIED TAXPAYERS:

28 1. IMAGES OF CHECKS RECEIVED IN PAYMENT OF AD VALOREM PROPERTY TAX.

29 2. SIGNATURES, BANK ACCOUNT NUMBERS AND BANK ROUTING NUMBERS CONTAINED
30 ON CHECKS RECEIVED IN PAYMENT OF AD VALOREM PROPERTY TAX.

31 Sec. 2. Title 11, chapter 4, article 2, Arizona Revised Statutes, is
32 amended by adding section 11-645, to read:

33 11-645. Warrants and substitute checks unpaid for lack of
34 funds; interest; notice; reissued warrants;
35 definitions

36 A. NOTWITHSTANDING SECTIONS 11-635, 11-636 AND 11-638, THIS SECTION
37 APPLIES TO EACH COUNTY TREASURER OF A COUNTY IN THIS STATE THAT HAS A
38 POPULATION OF TWO MILLION OR MORE PERSONS.

39 B. IF A REVOLVING LINE OF CREDIT HAS NOT BEEN OBTAINED FOR A POLITICAL
40 SUBDIVISION OR IF THE REVOLVING LINE OF CREDIT HAS BEEN EXPENDED AND IF THERE
41 ARE INSUFFICIENT FUNDS IN THE ISSUER'S ACCOUNT, THE TREASURER SHALL WRITE OR
42 STAMP ON THE FACE OF THE WARRANT OR SUBSTITUTE CHECK "NOT PAID FOR LACK OF
43 FUNDS" AND THE DATE OF PRESENTATION, AND FROM THAT TIME UNTIL IT IS PAID, THE
44 WARRANT OR SUBSTITUTE CHECK SHALL BEAR NO MORE THAN TEN PER CENT INTEREST PER
45 YEAR. IF A PHYSICAL WARRANT IS NOT PRESENTED TO THE TREASURER BUT THE

1 TREASURER RECEIVES AN ELECTRONIC NOTICE THAT THE WARRANT WAS ISSUED, THE
2 TREASURER SHALL NOTIFY THE SERVICING BANK THAT THE WARRANT WILL NOT BE PAID
3 FOR LACK OF FUNDS, AND FROM THAT TIME UNTIL THERE ARE SUFFICIENT FUNDS TO PAY
4 THE ORIGINAL WARRANT, THE ORIGINAL AMOUNT OF THE WARRANT SHALL BEAR NO MORE
5 THAN TEN PER CENT INTEREST PER YEAR.

6 C. THE TREASURER SHALL KEEP A REGISTER OF WARRANTS AND SUBSTITUTE
7 CHECKS PRESENTED FOR PAYMENT.

8 D. WHEN THERE IS SUFFICIENT MONEY IN THE TREASURY TO PAY THE WARRANTS
9 DRAWING INTEREST AND REGISTERED PURSUANT TO THIS SECTION, THE TREASURER SHALL
10 NOTIFY THE ISSUING ENTITY OF THE AVAILABILITY OF THE MONIES. THE MONIES
11 SHALL BE PLACED IN A CLEARING FUND OR OTHER APPROPRIATE FUND THAT IS AGREED
12 ON BY THE TREASURER AND DISTRICT. THE ISSUING ENTITY SHALL ISSUE NEW
13 WARRANTS, WHICH SHALL INCLUDE THE ORIGINAL PRINCIPAL AMOUNT AND ANY ACCRUED
14 INTEREST, AND NOTIFY THE TREASURER OF THE WARRANT NUMBERS, AMOUNTS AND
15 PAYEES.

16 E. WHEN ONLY PART OF THE WARRANTS PRESENTED ON THE SAME DAY ARE
17 PAYABLE, THE TREASURER SHALL DESIGNATE THE PAYABLE WARRANTS AND NOTIFY THE
18 ISSUING ENTITY OF THE WARRANTS TO BE PAID AND THE WARRANTS TO BE REGISTERED.

19 F. A WARRANT THAT IS REISSUED PURSUANT TO THIS SECTION SHALL BE
20 PROCESSED PURSUANT TO SECTION 11-644.

21 G. FOR THE PURPOSES OF THIS SECTION, "SUBSTITUTE CHECK" AND "WARRANT"
22 HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 9-249.

APPROVED BY THE GOVERNOR MAY 16, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2007.